

FISCAL NOTE

SB 810 - HB 1222

March 18, 2003

SUMMARY OF BILL: Establishes the Tennessee Commercial Aerial and Ground Spraying Protection Act of 2003 which:

- Requires any person applying for a license as a commercial aerial applicator to:
 - Obtain a certification as provided in the Tennessee Application of Pesticides Act of 1978, in the category of pesticides that they intend to apply or provide sufficient evidence of an equivalent certification from a state with which this state has a current and official reciprocal agreement.
 - Take an examination administered by the Department of Agriculture.
 - Maintain a log record containing certain information for a period of 36 months on each application.
- Requires aerial applicators located outside the boundary of the state to submit a certified copy of any log record for any or all applications within 48 hours.
- Requires all pesticides applied by aerial applicators to be applied in a manner that is consistent with labeling.
- Allows aerial applicators holding a license to renew license without an examination, but such license may be subject to restrictions or limitations.
- Requires aerial applicators to notify the county sheriff's office in which a pesticide application is being made and report the owner's name and location of the property and the name of the pesticide to be sprayed.
- Requires all aircraft to be secured or rendered inoperable when not in use.
- Requires the commissioner to deny licensing to applicants not meeting the requirements for certification or licensing, or for violations of the rules or statutes.
- Provides it is unlawful for any commercial agriculture ground or aerial pesticide applicator to apply pesticides within 100 feet of any place where there is substantial human activity; in a 1,200 buffer zone beyond such no deposit zone; and within 25 feet of a right-of-way of a public road.
- Requires the Department of Agriculture to:
 - maintain a registry of pesticide sensitive persons and all certified organic farms.
 - register any person who pays annually a \$25 fee and submits certification from a physician stating the person's sensitivity, organic farm certification or beekeeper status.
 - notify all pesticide application licensees quarterly or more often if necessary, of the name and address and telephone number of those persons registered as beekeepers, organic farmers and pesticide sensitive with the department.

- develop public service announcements as well as other public notifications that publicize the existence of a toll-free telephone number that can be accessed to learn about proposed aerial spraying activity as well as report illegal spraying.
- advertise the number twice monthly over the course of the local spraying season.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$325,000 Recurring
\$96,000 One-Time**

Increase State Revenues - Less Than \$15,000

Estimate assumes:

- the need for 7 positions and related expenses in the Department of Agriculture to enforce the requirements of the bill and one-time expenses for vehicles for 4 inspectors and other cost necessary to implement the program.
- an increase in state revenues from registration fees collected.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director